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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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SMART STUDY CO., LTD.,

Plaintiff,

-against-

ACUTEYE-US, APZNOE-US,
BEIJINGKANGXINTANGSHANGMAOYOUXIANGONGS:
I, BLUE VIVI, BONUSWEN,
CHANGGESHANGMAOYOUXIANGONGSI, CITIHOMY, :
CKYPEE, DAFA INTERNATIONAL, DAZZPARTY, :
FAMING, GEGEONLY, HAITING\$, HAOCHENG-TRADE, :
HAPPY PARTY-001, HEARTLAND GO, HUIBI-US, :
JOYSAIL, JYOKER-US1, KANGXINSHENG1, :
LADYBEETLE, LICHE CUPCAKE STAND, LVYUN, MARY: :
GOOD SHOP, NA-AMZ001, NAGIWART, NUOTING, :
QINGSHU, QT-US, SALIMHIB-US, SAM CLAYTONDDG, :
SENSIAMZ BACKDROP, :
SHENZHENSHIXINDAJIXIEYOUXIANGONGSI, SMASSY: :
US, SMSCHHX, SUJUMAISUSU, SUNNYLIFYAU, TELIKE, :
THEGUARD, TONGMUMY, TOPIVOT, TUOYI TOYS, :
UNE PETITE MOUETTE, WCH- US, WEN MIKE, :
WONDERFUL MEMORIES, WOW GIFT, :
XUANNINGSHANGWU, XUEHUA INC, XUIYUI7I, :
YAMMO202, YICHENY US, :
YONGCHUNCHENGQINGMAOYIYOUXIANGONGSI, :
YOOFLY, ZINGON US and 老兵俱乐部, :
:

Defendants.
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1:21-cv-5860-GHW

ORDER

GREGORY H. WOODS, United States District Judge:


On August 18, 2022, Plaintiff filed a notice of interlocutory appeal in this case. Dkt. No. 102. The issues involve substantial concerns regarding the treaty obligations of the United States and the People's Republic of China. As a result, the Court stays this action pending resolution by the United States Court of Appeals for the Second Circuit.

As explained in the Court's July 21, 2022 opinion, Dkt. No. 100, the lack of adversarial

briefing regarding the propriety of email service on defendants located in China—the issue central to the resolution of this case—can present a significant obstacle to a court’s analysis. In its own evaluation of that issue, this Court benefited from the disinterested legal advice of a legal scholar. The appointment of amicus counsel might also serve a valuable role in informing further analysis of the issues, given the lack of an adversary in this matter, as might the viewpoints of the state actors whose treaties and laws are at issue here.

SO ORDERED.

Dated: August 19, 2022
New York, New York



GREGORY H. WOODS
United States District Judge